

# The Endangered Species Act



## Purpose

The Endangered Species Act (ESA) is intended to **protect** and **recover** imperiled species *and* the ecosystems they depend on.

The ultimate goal is to recover species to the point where they no longer need protection under the ESA.

## Considerations for Listing Species

Five factors related to biological status and threats:

- Damage to, or destruction of, a species' habitat.
- Overuse of the species for commercial, recreational, scientific, or education purposes.
- Disease or predation.
- Inadequacy of existing protection.
- Other natural or human-related threats to the species' survival.



## ESA is Administered by

- **United States Fish and Wildlife Service**  
(terrestrial and freshwater species, including bull trout)
- **National Marine Fisheries Service**  
(marine species, including anadromous salmon)

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## Protects Species and Habitats

The ESA prohibits the “take” of listed animals. Under the ESA, it is against the law to “take” a protected animal without a permit.

“Take” encompasses many actions, including “...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”

Additional federal regulations further define “take” to include significant habitat modification or degradation where it actually kills or injures wildlife. This could occur from modifications that significantly impair essential behavioral patterns, such as breeding, feeding, or sheltering.





# Habitat Conservation Plans

These plans describe how a landowner or manager will avoid, minimize and mitigate for impacts to species and their habitats.

## Why an Aquatic Resources HCP?

DNR is obligated to provide a balance of uses on state-owned aquatic land. An HCP helps DNR protect native species and habitats, and ensures that those uses are in compliance with the Endangered Species Act.



## The Benefits of an HCP

By minimizing and mitigating the impacts to species and their habitats, HCPs contribute to the long term conservation of both listed and unlisted species.

Developing an HCP assures that DNR can legally proceed with activities that would otherwise result in the “take” of ESA-listed species.



# Habitat Conservation Plans

## Should Address

- Impacts to listed species.
- The measures to be undertaken to monitor, minimize and mitigate for the impacts, the funding for the HCP, and the procedures to deal with unforeseen circumstances.
- Alternative actions that wouldn't result in take that were analyzed, and the reason why they were not used.
- Additional measures that the USFWS or NMFS may require as being necessary or appropriate for the purposes of the plan.

